

Notice of Allowability

Application No.

10/825,787

Applicant(s)

MAGHRIBI ET AL.

Examiner

Tammie Heller

Art Unit

3766

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on July 3, 2007.
2. ☒ The allowed claim(s) is/are 1-5, 7, 10, 11, 18, 20-24, 26, 29, 30, 35, 37, 50 and 58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 1, 5, 10, 11, 18, 20, 24, 29, 30, 35, 37, and 50 are allowable. The restriction requirement among the species, as set forth in the Office action mailed on April 11, 2006, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 2-4, 6-9, 12-17, 19, 21-23, 25-28, 31-34, 36, and 38-49, directed to the subject matter of the claimed species being rejoined are no longer withdrawn from consideration because the claim(s) require all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Eddie E. Scott on September 27, 2007.

The application has been amended as follows:

Please cancel claims 6, 8, 9, 12-17, 19, 25, 27, 28, 31-34, 36, 38-47, and 51.

In claim 2, line 1, immediately after "...stretchable electronic", "apparatus" was deleted, and --circuit-- was inserted.

In claim 2, line 2, immediately after "...wherein said", "at least one" was deleted.

In claim 3, line 1, immediately after "...stretchable electronic", "apparatus" was deleted, and --circuit-- was inserted.

In claim 3, line 2, immediately after "...wherein said", "at least one" was deleted.

In claim 4, line 1, immediately after "...stretchable electronic", "apparatus" was deleted, and --circuit-- was inserted.

In claim 4, line 2, immediately after "...wherein said", "at least one" was deleted.

In claim 5, line 2, immediately after "...wherein said", "at least one" was deleted.

In claim 7, line 1, immediately after "...stretchable electronic", "apparatus" was deleted, and --circuit-- was inserted.

In claim 7, line 2, immediately after "...wherein said", "at least one" was deleted.

In claim 20, line 18, immediately after "...microchannel and said", "an" was deleted.

Please amend claim 48 to read as follows:

Claim 48 (currently amended): The method of claim 35 wherein said steps of providing at least one microchannel in said solid stretchable polymer body and filling said at least one microchannel with an electrical conductive media comprises using a stamp to place a conductive ink in a desired pattern on said stretchable polymer body.

Please amend claim 49 to read as follows:

Claim 49 (currently amended): The method of claim 35 wherein said steps of providing at least one microchannel in said solid stretchable polymer body and filling said at least one microchannel with an electrical conductive media comprises using photolithography.

Allowable Subject Matter

3. Claims 1-5, 7, 10, 11, 18, 20-24, 26, 29, 30, 35, 37, and 48-50 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammie Heller whose telephone number is 571-272-1986. The examiner can normally be reached on Monday through Friday from 7am until 3:30 pm.

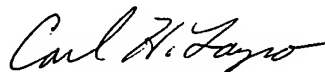
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 571-272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tammie K Heller
Patent Examiner
Art Unit 3766



CARL LAYNO
PRIMARY EXAMINER